

# Exhibit “A”

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS**

LYUBA VEYTSMAN,

Plaintiff(s),

--against--

CVS HEALTH CORP. d/b/a CVS PHARMACY,

Defendant(s).


*To The Above Named Defendant(s)*

***YOU ARE HEREBY SUMMONED*** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, Judgment will be taken against you by default for the relief demanded herein.

***Dated,*** November 1, 2023

***Defendant(s) address:***

CVS HEALTH CORPORATION d/b/a CVS PHARMACY: 814 Hempstead Avenue,  
West Hempstead, NY 11552;

  
EFROM J. GROSS, ESQ.  
Attorney for plaintiff(s)  
Office and Post Office Address  
703 Avenue U  
Brooklyn, New York 11223

Filed with the Kings County Clerk on

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS**

\_\_\_\_\_X  
LYUBA VEYTSMAN,  
  
Plaintiff(s),  
  
-against-  
  
CVS HEALTH CORP. d/b/a CVS PHARMACY,  
  
Defendant(s).  
\_\_\_\_\_X

**VERIFIED COMPLAINT**  
**Index Number:**

Plaintiff complaining of the defendant, by her attorney, EFROM J. GROSS,  
respectfully states and alleges, upon information and belief as follows:

1. At all times mentioned herein, plaintiff, LYUBA VEYTSMAN, was a  
resident of the County of Kings City and State of New York.

2. That at all times hereinafter mentioned, defendant, CVS HEALTH CORP. d/b/a  
CVS PHARMACY, was a domestic corporation duly organized, existing and doing  
business by virtue of the laws of the State of New York.

3. That at all times hereinafter mentioned, defendant, CVS HEALTH CORP. d/b/a  
CVS PHARMACY, was a limited liability company organized, existing and doing  
business by virtue of the laws of the State of New York.

4. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS  
PHARMACY, owned the premises, located at 814 Hempstead Avenue, County of Nassau  
City of West Hempstead, State of New York.

5. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS  
PHARMACY, controlled the premises, located at 814 Hempstead Avenue, County of  
Nassau City of West Hempstead, State of New York.

6. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS



PHARMACY, managed the premises, located at 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

7. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, maintained the premises, located at 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

8. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, leased the premises, located at 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

9. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, rented the premises, located at 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

10. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, its agents, servants and/or employees maintained, managed and or controlled the parking lot abutting the premises located at: 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

11. That at all times herein mentioned, defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, its agents, servants and/or employees supervised the parking lot abutting the premises located at: 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

12. That at all times hereinafter mentioned, it was the duty of the defendant, CVS HEALTH CORP. d/b/a CVS PHARMACY, its servants, agents and/or employees to maintain the pavement in the parking lot abutting the premises located at: 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York, in reasonably safe, supervised, guarded, protected and suitable condition.

13. That on the 5<sup>th</sup> day of July 2023, the plaintiff, LYUBA VEYTSMAN, was lawfully present upon the parking lot abutting the premises, located at: 814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

14. That on the 5<sup>th</sup> day of July 2023, the plaintiff, LYUBA VEYTSMAN, was caused to trip and fall and be injured due to dangerous and defective pavement in the parking lot abutting the location at: 1814 Hempstead Avenue, County of Nassau City of West Hempstead, State of New York.

15. That at all times herein mentioned, the defendant, its servants, agents, personnel and/or employees failed to take such steps as were necessary to prevent the pavements from becoming and remaining in dangerous condition.

16. That at all times herein mentioned, the defendant, its servants, agents, personnel and/or employees had notice or should have had notice of the subject dangerous condition.

17. That the aforesaid occurrence was caused wholly as a result of the negligence of the defendant(s) herein and without any negligence on the part of the plaintiff contributing thereto.

18. By the reason of the foregoing, plaintiff, LYUBA VEYTSMAN, was caused to sustain serious, harmful and permanent injuries, has been and will be caused great bodily injuries and pain, shock, mental anguish; has incurred and will incur great expense for medical care and attention.

19. That this action falls within one or more of the exceptions set forth in CPLR 1602.


20. That as a result of the foregoing, plaintiff, LYUBA VEYTSMAN, has been damaged in the amount sought exceeds the jurisdictional limits of all lower courts which

would otherwise have jurisdiction.

WHEREFORE, plaintiff, LYUBA VEYTSMAN, demands judgment against the Defendant(s) in an amount sought that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: West Hempstead, New York  
November 1, 2023

Yours, etc.,

  
**EFROM J. GROSS, ESQ.**  
703 Avenue U  
Brooklyn, NY 11223  
Tel.: (516) 483-4580  
(718) 787-0304



**ATTORNEY'S AFFIRMATION**

EFROM J. GROSS being duly sworn, deposes and says:

That deponent is an attorney and affirms the following to be true under the penalties provided by Law. I am the attorney for plaintiff(s); and have read the foregoing COMPLAINT and know the contents thereof; that the same is true to my knowledge, except as to those matters therein stated to be alleged on information and belief, and as to those matters I believe to be true; that the reason that this verification is made by Affirmant instead of plaintiff(s), as plaintiff(s) is not within the County where your Affirmant's office is located.

Affirmant further says that the grounds of his belief as to all matters in the said COMPLAINT are based upon deponent's general investigation of the facts herein.

Dated: West Hempstead, New York  
November 1, 2023

  
\_\_\_\_\_  
EFROM J. GROSS, ESQ.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

LYUBA VEYTSMAN,

Plaintiff(s),

-against-

CVS HEALTH CORP. d/b/a CVS PHARMACY,

Defendant(s).

SUMMONS AND VERIFIED COMPLAINT

**EFROM J. GROSS, ESQ.**

*Attorney for Plaintiff(s)*

*Office and Post Office Address, Telephone*

*703 Avenue U*

*Brooklyn, New York 11223*

*Tel.: (718) 787-0304*

TO:

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

PLEASE TAKE NOTICE

PLEASE TAKE NOTICE

☐ that the within is a (certified) true copy of an entered in the office of the Clerk  
Notice of of the within named Court on

☐ that an Order of which the within is a true copy will be presented for settlement to the  
Notice of Hon. One of the judges of the within named Court, at  
Settlement Brooklyn, New York on 20, at M.

Dated: West Hempstead, New York

Yours, etc.

**EFROM J. GROSS, ESQ.**

*Attorney for Plaintiff(s)*

*Office and Post Office Address*

*703 Avenue U*

*Brooklyn, New York 11223*